

## United States District Court

for

## Southern District of Ohio

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: **John F Yeager  
8575 Sleepy Hollow  
Cincinnati, Ohio 45243** Case Number: **1:01CR00058**

Name of Sentencing Judicial Officer: **The Honorable Susan J. Dlott  
United States District Judge**

Date of Original Sentence: **May 20, 2005**

Original Offense: **Making False Entries Into Bank Records-Counts 12 and 13,  
violations of 18 U.S.C. § 1005**

Original Sentence: **1 day(s) imprisonment on each count to be served  
concurrently, 36 month(s) supervised release on each count,  
such terms to be served concurrently**

Special Conditions: **1) Obey all federal, state, and local laws  
2) No illegal possession of a controlled substance  
3) No firearms, dangerous weapons, or destructive devices  
4) Serve 45 day term of electronically monitored home  
confinement  
5) Cooperate in collection of DNA as directed by the USPO  
6) Pay Special Assessment in the amount of \$200  
7) Pay restitution in the amount of \$2,531.08  
8) Pay \$500 fine**

Type of Supervision: **Supervised Release**Date Supervision Commenced: **May 20, 2005**Assistant U.S. Attorney:  
**William E. Hunt, Esq.**Defense Attorney:  
**Martin S. Penales, Esq.**

## PETITIONING THE COURT

To issue a summons  
 To issue an Order to Appear and Show Cause  
 To grant an exception to revocation without a hearing.

The probation officer finds, under penalty of perjury, that probable cause to believe the defendant has violated one or more conditions of supervision exists:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	Mr. Yeager has violated the condition of supervision which states: "The supervised releasee shall not commit another federal, state, or local crime". According to information received by the probation officer, on July 7, 2005, Mr. Yeager was arrested by the Indian Hill Police Department and was initially charged with Speeding, Driving Under the Influence of Alcohol or Drugs, and

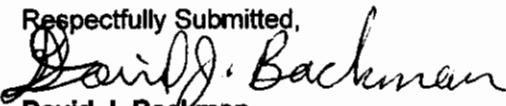
Driving With a Breath Alcohol Level of .08 or More. On July 29, 2005, Mr. Yeager appeared in the Hamilton County Municipal Court in Cincinnati, Ohio at which time Counts C and A which charged him with Speeding and Driving Under the Influence of Alcohol or Drugs, respectively, were dismissed. Mr. Yeager then pled nolo contendre to Count B, which was Driving With a Breath Alcohol Level of .08 or More, Docket Number C/05/TRC/30250/B. At that time, the offender was sentenced to serve a term of imprisonment of 180 days with 177 days suspended. He was then ordered to serve a three day term of community control in a Driver's Intervention Program. He was also ordered to be placed on probation for a period of six months and his driver's license was suspended for six months. Mr. Yeager was granted limited driving privileges. As part of his Hamilton County Probation, Mr. Yeager was also ordered to pay a \$250 fine plus \$84 in Court costs.

U.S. Probation Officer Recommendation:

The term of supervision should be

- Revoked.
- Extended for years, for a total term of years.
- Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
- The conditions of supervision should be modified as follows: **the offender participate in a program of substance abuse treatment and an additional term of electronically monitored home confinement of up to 45 days.**

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully Submitted,  
 by   
 David J. Backman  
 U.S. Probation Officer  
 Executed on September 16, 2005

Approved,  
 by   
 John C. Cole, Supervising  
 U.S. Probation Officer  
 Date: 9-20-05

THE COURT ORDERS:

- No Action
- The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the issuance of a Warrant for his/her arrest.
- The issuance of an Order to Appear and Show Cause
- The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- Other

  
 Signature of Judicial Officer  
9/23/05  
 Date